

1 Joseph J. Tabacco, Jr. (Bar No. 75484)
2 Todd A. Seaver (Bar No. 271067)
3 Carl N. Hammarskjold (Bar No. 280961)
4 **BERMAN TABACCO**
5 425 California Street, Suite 2300
6 San Francisco, CA 94104
7 Telephone: (415) 433-3200
8 Facsimile: (415) 433-6382
9 Email: jtabacco@bermantabacco.com
10 tseaver@bermantabacco.com
11 chammarskjold@bermantabacco.com

12 R. Alexander Saveri (Bar No. 173102)
13 Geoffrey C. Rushing (Bar No. 126910)
14 Matthew D. Heaphy (Bar No. 227224)
15 **SAVERI & SAVERI, INC.**
16 706 Sansome Street
17 San Francisco, CA 94111
18 Telephone: (415) 217-6810
19 Facsimile: (415) 217-6813
20 Email: rick@saveri.com
21 geoff@saveri.com
22 mheaphy@saveri.com

23 Bruce L. Simon (Bar No. 96241)
24 **PEARSON WARSHAW, LLP**
25 555 Montgomery Street, Suite 1205
26 San Francisco, CA 94111
27 Telephone: (415) 433-9000
28 Facsimile: (415) 433-9008
Email: bsimon@pwfirms.com

17 *Co-Lead Counsel for Direct Purchaser Plaintiffs*

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **OAKLAND DIVISION**

21 IN RE: LITHIUM ION BATTERIES
22 ANTITRUST LITIGATION

23 This Document Relates to:

24 *All Direct Purchaser Actions*

25 Case No. 13-md-02420-YGR
26 MDL No. 2420

27 **DECLARATION OF JAMES PAGE, ESQ.**
28 **REGARDING FINAL DISTRIBUTION OF**
SETTLEMENT FUNDS

Judge: Hon. Yvonne Gonzalez Rogers
Courtroom: 1

1 I, James E. Page, hereby declare as follows:

2 1. I am a Manager of Client Services employed by Epiq Class Actions & Claims
3 Solutions, Inc. ("Epiq"), the Settlement Administrator for the direct purchaser actions in the
4 above-captioned case. Epiq began working on this matter in March of 2016. I have worked for
5 Epiq and GCG, a company acquired by Epiq in 2018, since 2013. I am a licensed attorney in
6 Washington. I received my Juris Doctor degree from the University of Oklahoma Law School
7 in 2006 and my Bachelor of Arts degree from the University of Oklahoma in 2003. The
8 following statements are based on my personal knowledge and information provided by other
9 Epiq employees working under my supervision and, if called on to do so, I could and would
10 testify competently thereto. I submit this Declaration regarding the distribution of remaining
11 Settlement Funds in accordance with the Court's January 5, 2023 Order Granting Direct
12 Purchaser Plaintiffs' Motion for Order Authorizing Distribution of Remaining Settlement Funds
13 (ECF No. 2761).

14 2. On April 14, 2023 Epiq mailed checks to 114 eligible Class Members. The 114
15 checks had a total value of \$651,547.67. All payments were made by paper check.

16 3. The average (mean) recovery per eligible Class Member is \$5,715.33. The
17 median recovery per eligible Class Member is \$282.66. The largest amount paid to an eligible
18 Class Member is \$149,072.55. The smallest amount paid to an eligible Class Member is \$10.06.

19 4. As of February 26, 2024, six (6) payments remain uncashed. The total value of
20 these uncashed checks is \$82.21. The void date of these remaining checks has passed and those
21 checks can no longer be cashed. Epiq completed significant efforts to try to ensure that
22 approved claimants cashed their checks, including by tracking check cashing and extending the
23 void date of checks when asked.

24 5. An additional \$3,881.81 remained in the Settlement Distribution Account due to
25 accumulated interest and because the total of the payments was \$651,547.67, or \$4.93 less than
26 the Court-authorized amount of \$651,552.60, due to rounding.

27

28

1 6. On March 22, 2024, Epiq issued a payment of \$3,964.02 (\$82.21 + \$3,881.81) to
2 the *cy pres* designee, the George Washington University Law School Competition Law Center,
3 in accordance with the Court’s January 5, 2023 Order (ECF No. 2761).

4 7. Upon presentation of an invoice from Epiq, Co-Lead Counsel for Direct
5 Purchaser Plaintiffs approved and paid Epiq \$14,102.04 from the remainder of the funds
6 previously reserved for claims administration costs. The Court-authorized reserve has been
7 exhausted and no settlement funds remain. Epiq has been paid in full \$2,894,635.02 for all
8 administrative costs in the Direct Purchaser Actions.

9 8. Epiq has accounted for all potential tax liability, filed all necessary tax returns,
10 and reports no other issues.

12 I declare under penalty of perjury that the foregoing is true and correct.

13 || Executed on May 1, 2024 at Seattle, Washington.

By:

JAMES PAGE
Manager of Client Services
Epiq Class Action & Claims Solutions